Women's registered ownership in an Improvement Area in Lusaka, Zambia

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Summary

Women in Zambia have unequal access to land ownership due to many different things; customary attitudes, high illiterate rates and lack of information about their rights are some examples. Poor women, living in informal settlements are among those who are struck the hardest by these problems.

The legal situation has changed for these women over the years. The Housing Act makes it possible for people living in informal settlements to get security of tenure when the settlements has been declared an Improvement Area according to the Act and they can apply for Occupancy Licenses. An Occupancy License gives the holder security of tenure for 30 years. The new Intestate Succession Act has also improved women’s situation because it gives the widow the right to the house when the husband dies. Even if there have been some legal changes in the statutory laws, it is still common that people act in accordance with the customary laws, which are built on traditions and customs. A conflict between the statutory laws and the customary laws can easily occur.

In Chaisa, the Improvement Area and informal settlement chosen for this report, a gender group consistent of residents from Chaisa, is working with gender issues. This gender group is also involved in Lusaka City Council’s and Swedesurvey’s ongoing Land Initiative project in Chaisa, where the land delivery system is being improved and developed. Within the project they also inform the residents about the importance of having an Occupancy License.

Different studies together with my own survey revealed some of the gender problems that can occur during land registration. Some of these problems could be solved through better management and organisation at Lusaka City Council and the gender group could be a good information channel between the residents and Lusaka City Council.

The legal system is today cumbersome, especially for people living in poor areas where most of the residents are uneducated and the illiterate rate is high. The Government could look into it and try to make it more accessible. The process to apply for an Occupancy License is also time-consuming and cumbersome. Lusaka City Council must try to decentralise this process so that the residents can apply from the site office instead of going in to the Civic Centre. A solution on the problem with the unpaid ground rents must be agreed between Lusaka City Council and the residents in Chaisa, otherwise these arrears stops many of the residents to apply or renew their Occupancy Licenses.